

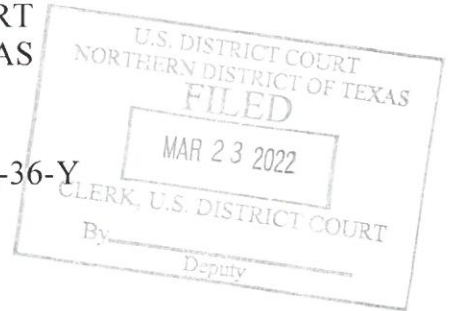
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

UNITED STATES OF AMERICA

NO. 4:22-CR-36-Y

v.

JOSEPH MICHAEL DUPREE



**FACTUAL RESUME**

**PLEA TO COUNT ONE OF A SUPERSEDING INFORMATION WITH WAIVER:**

Possession of a Stolen Firearm (in violation of 18 U.S.C. §§ 922(j) and 924(a)(2))

**PENALTY:**

\$250,000 fine and not more than ten (10) years imprisonment, plus a term of supervised release of not more than 3 years. If the defendant violates any condition of supervised release, the Court may revoke such term of supervised release and require the defendant to serve an additional period of confinement. Further the Court must impose a Mandatory Special Assessment of \$100.00.

**ELEMENTS OF THE OFFENSE:**

The essential elements which must be proved beyond a reasonable doubt in order to establish the offense charged in Count One of the Indictment, are as follows:<sup>1</sup>

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- First. That the defendant knowingly possessed a firearm as charged;
- Second. The firearm was stolen;
- Third. That the defendant knew the firearm was stolen; and
- Fourth. That the firearm possessed traveled in and affected interstate or foreign commerce; that is, before the defendant possessed the firearm, it had traveled at some time from one state to another or between any part of the United States and any other country.

**STIPULATED FACTS:**

Joseph Michael Dupree admits and agrees that, on or about November 10, 2021, in the Fort Worth Division of the Northern District of Texas, he did possess in and affecting interstate and foreign commerce a firearm, to wit: a Smith & Wesson, M&P Shield, 9mm pistol

<sup>1</sup> Fifth Circuit Pattern Jury Instruction 2.43D (5th Cir. 2019); *Rehaif v. United States*, \_\_ S.Ct. \_\_, 2019 WL 2552487 (U.S. June 21, 2019).


bearing serial number HPP1855, and knew the firearm had been stolen.

More specifically, on November 10, 2021, while in the Fort Worth Division of the Northern District of Texas, Dupree was in possession of a firearm, to wit: a Smith & Wesson, M&P Shield, 9mm pistol bearing serial number HPP1855. As Dupree knew, the firearm was stolen. Law enforcement agents were able to determine that the firearm was in or affected interstate or foreign commerce by virtue of its presence in in the Fort Worth Division of the Northern District of Texas. Dupree admits that the gun traveled in interstate commerce.

The defendant agrees that the defendant committed all the essential elements of the offense. This factual resume is not intended to be a complete accounting of all the facts and events related to the offense charged in this case. The limited purpose of this statement of facts is to demonstrate that a factual basis exists to support the defendant's guilty plea to Count One of the Superseding Information.

AGREED TO AND STIPULATED on this 14 day of March, 2022.

  
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JOSEPH MICHAEL DUPREE  
Defendant

  
\_\_\_\_\_  
GEORGE LANCASTER  
Defense Attorney